

THE DEMOCRAT.

"Our Federal Union—it shall be preserved."

COLUMBUS, MISSISSIPPI.

SATURDAY, OCTOBER 9, 1852.

FOR PRESIDENT,

GEN. FRANKLIN PIERCE,
OF NEW HAMPSHIRE.

FOR VICE PRESIDENT,

WILLIAM R. KING,
OF ALABAMA.

DEMOCRATIC ELECTORAL TICKET.

FOR THE STATE AT LARGE,

E. C. WILKINSON, A. M. JACKSON,

W. H. JOHNSON.

DISTRICTS.

J. H. R. TAYLOR, 1st DISTRICT,
W. S. FEATHERSTON, 2d DISTRICT,
O. R. SINGLETON, 3d DISTRICT,
HIRAM CASSIDY, 4th DISTRICT.

Mr. H. P. DOUTCH is our authorized agent to obtain new subscriptions to the DEMOCRAT and receipt for the same.

The Governor's message, for copies of which we are indebted to Hon. W. S. Paxon and Mr. Cavanah, and which came to hand rather late in the week, necessarily excludes many articles intended for to-day's paper. We would commend the message to the perusal of our readers.

Late arrivals.—We received, this week, the Washington Daily Union of the 10th of June, the Richmond Dispatch of the 11th of June, and the Boston Statesman of the 5th of June. We chronicle these late arrivals as an evidence of the great improvement in the mail line service.

THE DAY APPROACHES!

Three weeks from next Tuesday, the people of the United States will be called upon to choose a Chief Magistrate, to preside over the destinies of this great Republic for the next four years. It will be a most important election. The welfare and prosperity of our common country—perhaps the preservation of our constitutional rights and of our glorious Union may depend on the result. Every voter, of course, who has the good of his country at heart, will attend the polls and cast his vote. The patriot needs nothing but the promptings of his own feelings to induce him to do his duty; the laggard, who will not move on such an occasion, and refuses to vote, is unworthy the privileges of a free citizen.

The day approaches, and the rival candidates are before you.

Scott, the nominee of northern whigs and abolitionists—a brave and successful soldier, but without civil talents or experience;

Pierce, the nominee of the national democratic party—a man distinguished both in the council and in the field, a ripe scholar, a forcible writer, an eloquent speaker and a democrat of the true Jeffersonian stamp.

Such are the candidates—choose ye between them. For ourselves, we have no fears as to the result. It is in the Book of Fate, and we are persuaded the recording angel has already written down the name of FRANKLIN PIERCE as the future President of the United States of America. With a confidence free from the least apprehension, and a faith, that knows no doubt, in the intelligence and patriotism of the people, we look for a brilliant democratic triumph, such as used to gladden our hearts in the days of ANDREW JACKSON.

Gov. LUCAS.—The whig papers are exulting over a letter recently published, from Gov. Lucas of Iowa, in which he comes out in favor of Gen. Scott. This, they parade before their readers, as an evidence that the entire northwest is going for old Chip. But never were men more out in their calculations. The truth is Gov. Lucas has not acted with the democratic party for five or six years. He is now just where he was in 1848—with the free soilers. The Nashville American places this whole matter in the right light. Gov. Lucas was once a democratic governor of Ohio, and was afterwards appointed Governor of Iowa by Mr. Van Buren. In 1848, he left the democratic party, joined the free soilers and supported Mr. Van Buren in the last Presidential election. He has never acted with the democratic party since, and he now announces that he will support Scott, on the ground that Scott is the best free soiler out. The whig papers claim him as a new convert to their cause. This is clearly a mistake; but they are welcome to him any way. Their converts, as the American says, are like the man's peach orchard—consisting of one scattering tree.

MAINE.—We briefly noticed, last week, the result of the recent elections in Maine. Since then we have received the Boston Post and the New Hampshire Patriot of later dates, which bring us the full official returns with the exception of a few towns and plantations. The popular majority is overwhelming on the democratic side. Figures, when they speak officially never lie, and here is what they say: For Governor, Hubbard, (dem.) 41,516; Crosby, (whig) 29,129; Chandler, (dem.) 21,589; scattering 1356. The few places not heard from, gave in 1850—Hubbard 470; Crosby 229; others 62. But the whig papers say the Governor's election was no test. Take then the Congressional election.—that they not claim, was a test and how stands the vote? As follows, we give the aggregate from all the districts: democratic 45,519; whig 38,953—democratic plurality 6,566. The Legislature stands, Senate, 9 democrats; 14 whigs; House, 84 democrats; 36 whigs. Eight vacancies in the Senate, which will certainly be filled by democrats. On joint ballot, the vote will be 101 democrats to 50 whigs. Maine is as certain for Pierce and King as New Hampshire, and by a majority, we are persuaded, of not less than eight or ten thousand.

THE LEGISLATURE.

We have received the daily Mississippi of the 5th and 6th insts., containing the first two days' proceedings of the Legislature, which convened in the Capitol last Monday. In accordance with the proclamation of the Governor.

A quorum appeared in both Houses on the first day. Hon. James Whitfield, on taking his seat as President of the Senate, addressed that body as follows:

Senators.—In conformity with the proclamation of the Chief Executive Magistrate of the State, this branch of the State Legislature is now assembled.

When the Senate adjourned on the sixteenth of March last, I had hoped that my public life in any official capacity had closed.

Looking around on the familiar faces with whom we were associated during our late session, one is missing. The venerable and honorable JAMES M. TAIT, Senator from the senatorial district of the counties of De Soto and Tunica, is not here; he has been called to the spirit land to occupy, as I trust, a higher and more honorable station than that occupied by him in this world.

Those of us who have been spared in the enjoyment of health to meet on the present occasion, have abundant reason to be thankful to the Providence which has watched over, guided and protected us along the pathway and peril of life.

In the discharge of the trust confided and the duties required of each of us, I hope we shall bring into requisition all the liberality, courtesy and ability we possess, in order to dispatch the public business required, which has been, by a confident continuity, committed to our care.

In the House the Speaker, Hon. Wm. S. Patton, took the chair and spoke as follows:

Gentlemen of the House of Representatives:

By proclamation of His excellency, the Governor, you are convened in Extra Session on the present occasion. From the kind feelings manifested towards me during your last session, I have reason to hope and expect the same courtesy and indulgence will be extended during the present session. And whilst you are in council may peace and harmony prevail; and each member act with an eye single to the good of his country, endeavoring to suppress any unpleasant scene that may tend to mar your proceedings. May your deliberations be brought to a speedy close, with satisfaction to yourselves and honor to your State.

In the Senate a resolution was adopted that the Legislature transact no other business than that named in the message and proclamation of the Governor. A similar resolution was offered in the House and rejected.

Some debate arose in both houses as to the difficulty between the State Printers, Messrs. Palmer and Pickett, but the subject was laid over without any definite action. A few bills of a local character were passed by the House.

E. P. Russell was elected Clerk of the House in place of F. L. Swann, resigned.

GEN. SCOTT ON THE STUMP.

General Scott, under a pretence of selecting a site for a Military Hospital, has made an electioneering tour through Maryland, Pennsylvania Ohio and into Kentucky. In most of the towns through which he passed, he delivered speeches to large crowds, and such speeches! Some of them are absolutely silly. Gen. Scott attempts to play the demagogue, but he only makes himself ridiculous. That our readers may judge of his oratorical efforts we give below the report of his speech delivered at Cleveland, Ohio. Some of the whigs at first regarded it as a hoax, but it turns out to be a true report. The N. Y. Day Book says of it:

"We will venture to say that no country justice could be secured up, who could not make a more respectable speech than the above. He says he is travelling for the purpose of selecting a site for a Military Hospital—from present indications, he ought to be the first candidate for admission."

But, silence! Gen. Scott is "on the stump"—hear him:

FELLOW CITIZENS: When I say fellow citizens, I mean native and adopted citizens as well as all who intend to become citizens of this great and glorious country. I thank you for the enthusiastic reception you have given me; [cheers] but there is one thing I regret in visiting this beautiful city, and that is the rain. I was pained that while I was comfortably sheltered in a covered carriage, you should have been exposed to rain and mud. During my military campaigns, and at other times in the discharge of the duties of my office, and during the greater part of my life, I have been on the march, and have always been accustomed to expose myself to the weather and other inconveniences of camp life, in common with the brave soldiers of the army, and I am pained at this time to see you put to such inconvenience on my account. [Great cheers]

Fellow Citizens: I have thought a man could hardly call himself a citizen of this great country, without passing over these great lakes, of which this is justly celebrated as one of the most beautiful of the whole West. You're welcome here! from an Irishman. I hear that rich brogue—[I love to hear it, it makes me remember noble deeds of Irishmen, many of whom I have led to battle and to victory. [Great cheering] Fellow citizens, I do not intend to make a speech, I am not journeying for that purpose; I am travelling for the purpose of selecting a site for a Military Hospital; I simply came at your call to thank you for this greeting. You have seen fit to greet me cordially, so would you greet all of your country's generals. I accept it as an evidence of your patriotism; it convinces me of your devotion and love to your country. [Cheers] I will not detain you longer, you see wet and covered with mud—I repeat my thanks for this enthusiastic reception. [Great cheering]

The Presidential election takes place in all the states on Tuesday, the second day of November next.

IMPORTANT ELECTIONS.—On Tuesday next, 12th inst., state elections will take place in Pennsylvania, Ohio and Indiana. These are important elections as they will give indications of the strength of parties in those states. It is believed however, that Gen. Pierce is stronger than his party in all the states named.

Our friend Julius Caesar Hannibal has been disturbed by certain calumnies about him; the result of which he described as follows:

"Da kommittee dat was panted to vestigate de slander dat de sisterhood scandalized me wid trout de naborhood, met on de ebenen panted, and cussed de matter wid all dere barts, and brot in de common wastick ob de day—dat nobody was to blame. Nobody dident do nout to nobody, and kinder 'loded dat day tort Isabelle was loped in de intellect."

THE ELECTORAL VOTE.

A law was passed by Congress in 1845, establishing a uniform time of holding the elections for President and Vice President in all the states. This law enacts that the elections shall be held in every state on the first Tuesday in November, in the year in which presidential electors are to be chosen. We give below a table showing the electoral votes to which the several states are entitled under the new apportionment. Deduct two from the number opposite each state, and you have the number of representatives in Congress which each state is entitled to. This table will be found useful for reference:

| | | | |
|-----------------|----|--------------|-----|
| Maine, | 3 | Ohio, | 23 |
| New Hampshire, | 5 | Indiana, | 13 |
| Vermont, | 5 | Illinois, | 11 |
| Massachusetts, | 13 | Iowa, | 4 |
| Connecticut, | 6 | Wisconsin, | 4 |
| Rhode Island, | 4 | Michigan, | 9 |
| New York, | 35 | Kentucky, | 12 |
| New Jersey, | 7 | Missouri, | 9 |
| Delaware, | 3 | Alabama, | 9 |
| Pennsylvania, | 27 | Louisiana, | 6 |
| Maryland, | 8 | Tennessee, | 12 |
| Virginia, | 15 | Mississippi, | 7 |
| North Carolina, | 10 | Arkansas, | 4 |
| South Carolina, | 8 | Texas, | 4 |
| Georgia, | 10 | California, | 4 |
| Florida, | 3 | Total, | 293 |

TENNESSEE.—The Nashville American speaks in the following cheering tones of the prospect in that state. The American is no doubt right in its calculations. All our information from Tennessee goes to convince us that the state is safe for Pierce and King by a heavy majority:

THE PROSPECT.—The skies are bright and brightening. Every section of the State, from the mountains to the Gulf, is cheering for the Democratic ticket. A large number of our leading friends are in the city. They are all buoyant and full of hope. At last our friends are a work. The State is safe. We cannot be mistaken in this. The hand writing is seen on the wall. The graceful swiftness of Fillmore and the compromise by the leading whigs of Tennessee has broken their heretofore well dyed web. They are dispirited and ready to yield on the contest. Many of their ablest leaders, men who have heretofore stood proudly at the head of the whig column, can now be seen in our ranks. The most distinguished men of the "old Clay Guard," the original panel are now earnest and enthusiastic for Pierce and King.

We exult in the thought that we are on the eve of a great and glorious victory. We rejoice to believe that the whigs of Tennessee are now organized, is about to be shattered to pieces. We are proud to see and to know that the more respectable whig statesmen of Tennessee indignantly refuse to fight in a cause which promises, in the event of success, to crown James C. Jones with the public honor and the public applause.

But, fellow Democrats, let us not for one moment relax in our efforts. We must fight on to the last moment. Remember that our cause is identified with all that is glorious in our past history; that it is the cause of the South, the constitution and the compromise.

THE LATEST CALUMNY.—The enemies of Gen. Pierce having failed to establish any of their charges, at last hit upon a story which might be circulated uncontradicted at least until the election should be over. Accordingly it was rumored upon the hearsay of Capt. McLean, that Gen. Pierce, the night before he left Mexico, had his face slapped by Col. Magruder, and did not resent it.

At the time this story was put in circulation, Col. Magruder was in California, and the calumniators well knew that the charge could be circulated far and wide, long before Col. Magruder could be heard from. But it so happened that this noble-hearted officer had written to Gen. Pierce immediately on hearing of his nomination, and the following is his letter as published in the Washington Union. Does it sound like the letter of a spirited officer to a man whom he had disgraced? Or is it the tribute of a noble opponent to one whom he regarded as entitled to his highest esteem?

SAN DIEGO, (Cal.) Aug. 14, 1852.

My Dear General:—Permit me to tender you my sincere congratulations upon your nomination by one of the great political parties of our country for the highest office in its gift.

Your "companions in arms," whatever be their politics, and however disinclined to mingle with the political parties of the day, should not be the last to express their pleasure and rejoice their pride that so distinguished an honor has been conferred upon one recently of their own corps, who was as faithful and gallant in the field as he was generous and kind in the social relations which grew up upon the termination of the campaign. A whig myself, and professionally of the "Scott school" of military men—cherishing withal the fullest confidence in the devoted patriotism and ability, civil and military, of that eminent citizen and soldier—I still can say, in his own language, in reference to yourself, that, if he were not elected, the choice of the people will fall upon a "deserving man."

Here I might stop, but I have seen in the newspapers of the day, published in the Atlantic States, that there has been an attempt to depreciate your services in the late war with Mexico, growing out of an accident which befell you in one of the battles in the valley—an attempt as ungenerous in motive as it is unjust in fact to yourself. I allude particularly to the severe accident which prevented you from taking a more active part in the battle on the 19th August, and from which you suffered so much on the 20th at the battle of Churubusco.

Rumors put into circulation by the thoughtless and malicious generally do not deserve the attention of sensible persons; but when an officer of that army knows that a false charge is brought in the public prints against the reputation of another, however exalted or humble, it becomes his duty to place at least at the disposal of the party attempted to be injured, such a statement of facts as truth and justice demand. In the glorious rivalry between your distinguished opponent and yourself, neither, I am sure, would value a triumph achieved by unworthy means. I have; therefore, the honor to transmit to you, as an act of simple justice, and without the fear of misconception on either side, the accompanying statement of facts, which accidentally came under my own knowledge.

I do not think so poorly of human nature as to suppose it probable that it may become necessary or desirable to publish this statement; but as I am at so great a distance from the scene of political agitation, I desire to place it at the disposal of yourself and friends, to make use of it in any way which circumstances may dictate. With my most cordial wishes, General, for

your health and happiness I remain very faithfully yours,
J. BARKHAM MAGRUDER,
Br. Lt. Col. U. S. Army.
To Gen. FRANK PIERCE, Concord N. H.

GOVERNOR'S MESSAGE.

Gentlemen of the Senate,

and House of Representatives:

I deeply regret the necessity which has arisen for withdrawing you from your homes at so unusual a season of the year, and I beg you to be assured, that the proclamation under the authority of which you are now assembled, would never have been issued, had I not believed it to be my duty, under the circumstances existing, to incur the responsibility supposed by some to be associated with a proceeding of this character.

The importance of some additional legislation, with a view to securing to the State of Mississippi her entire quota of representatives in the National Legislature, would appear to have been fully appreciated by you at your late regular Session; and I cannot but deeply regret, that the efforts then made in the two Houses of the Legislature to re-district the State, were frustrated in the disappointment of the general wish, both of yourselves and the country. Allow me, gentlemen, the privilege of stating one or two opinions on this subject, which I have long entertained, and in which I cannot but hope you will find reason to concur. The central department of our system of government is well known to have originally derived all its powers from the Sovereign States which constituted the confederacy. It is even undeniably true, that the Federal Government could not now continue to exist for a single year, but for such legislation, from time to time, on the part of the respective States, as may be requisite to keep each of them supplied with the representation to which they are constitutionally entitled in the two Houses of Congress. It is plainly in the power of those entrusted with the administration of State authority to embarrass the government of the Nation, and even to effect its complete overthrow, by a course of simple non-action on their part in regard to its important branch of constitutional duty; which non-action, if deliberate, or the result of matured arrangement, would, in my judgment, be tantamount to a declaration of open hostility. It should never be forgotten by the opponents of a laudatory construction of the Federal Constitution, that large and valuable rights have been reserved under that instrument both to the State, and to the people thereof, the abandonment or destruction of which would be inevitably fatal to liberty; that numerous and conflicting interests have been subjected to the legislative control of Congress, some of which are of a nature emphatically local in their character, and must therefore be always particularly in danger of sectional attack; that with a view to the protection of these reserved rights, and to the defence of these local interests, the framers of the constitution have wisely provided that the various States of the Union should be allowed to have at all times, precisely an equal number of Senatorial representatives,—the election of whom has been made dependent directly upon the action of the Legislatures of the States themselves,—and whose tenure of office is sufficiently permanent to secure the requisite amount of firmness and independence, amidst sudden outbreaks of popular clamor, or temporary excitement from accidental causes. It should likewise be borne in mind, that in the popular branch of Congress, the people of each State have been allowed, by the Constitution, a body of Representatives, whose number is subject to be either enlarged or diminished, from time to time, under the operation of an equitable apportionment act, framed with a strict regard to that peculiar basis of representation, which the authors of the organic law of the Republic found to be indispensable to the establishment of the Union itself; thus securing the citizens of the whole nation, as far as least as human contrivances are capable of effecting such an object, against the numerous and serious mischiefs which are ever to be apprehended from unequal and oppressive legislation,—put in action as such legislation is apt to be, for the benefit either of classes or sections, and providing in general, for a just, enlightened, and efficient administration of all the complex concerns of this great and growing Republic. Entertaining these views in regard to the characteristic features of our plan of government,—the importance of faithfully adhering to which, I will add, has been made particularly manifest by recent occurrences,—it will not appear at all surprising, to minds exempt from prejudice, that I should have felt altogether unwilling that this State should be deprived of at least one fifth, and perhaps her whole amount of representation in Congress, for several years to come, by a failure on my part to perform a plain official duty, without the performance of which, the Legislature could not have been convened in special Session at this time. Never was it more necessary, than at the present moment, that the State of Mississippi should be able to exert her full influence in the national councils. It is known that numerous questions are now pending in Congress of great difficulty and magnitude; that, both in the Senate and House of Representatives, parties, whether sectional or political, are so nearly in a state of absolute equipoise, that a single vote is often times sufficient to settle the fate of measures apparently involving most deeply the honor and happiness of the whole republic, and that the most alarming and dangerous influences are becoming so prevalent and so potent, at the seat of the National Government, as to constrain our most firm and resolute Statesmen to feel serious apprehension in reference to the continued maintenance of our free institutions. I hope to be excused for suggesting, in a spirit perfectly free from all unkindness or disrespect, that I have been the less willing to see the State of Mississippi crippled in her representation in the popular branch of Congress at this time, in consequence of the painful uncertainty which yet seems to overhang the question—whether, in consequence of unhappy misunderstandings, very recently arising out of the heated political conflicts of last year, and the somewhat over-sensitive recollection (if I may be allowed so to speak) of issues, the arising of which appears now to be almost universally regretted,—we may not be constrained to rest satisfied with the services of a single U. S. Senator from Mississippi, for the 12 months which will elapse immediately ensuing the 4th of March next; though in the meanwhile, a new administration is to come into existence; a new Cabinet to be organized; almost the entire mass of Executive patronage to be disposed of; various important treaties with Foreign powers, either to be ratified or rejected; and grave questions, both of war and peace, in all probability, to be definitely settled upon.

I have requested the Auditor of the State to prepare a special report, which I herewith submit for your consideration. It will be found to contain a very clear account of the present condition of the Treasury, and embodies several suggestions to which I cannot but attach much weight. A corresponding report would also have been made by the Treasurer, but for the sudden calamity which has for the present withdrawn him from his official duties; and confined him to your health and happiness I remain very faithfully yours,
J. BARKHAM MAGRUDER,
Br. Lt. Col. U. S. Army.
To Gen. FRANK PIERCE, Concord N. H.

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The importance of some additional legislation, with a view to securing to the State of Mississippi her entire quota of representatives in the National Legislature, would appear to have been fully appreciated by you at your late regular Session; and I cannot but deeply regret, that the efforts then made in the two Houses of the Legislature to re-district the State, were frustrated in the disappointment of the general wish, both of yourselves and the country. Allow me, gentlemen, the privilege of stating one or two opinions on this subject, which I have long entertained, and in which I cannot but hope you will find reason to concur. The central department of our system of government is well known to have originally derived all its powers from the Sovereign States which constituted the confederacy. It is even undeniably true, that the Federal Government could not now continue to exist for a single year, but for such legislation, from time to time, on the part of the respective States, as may be requisite to keep each of them supplied with the representation to which they are constitutionally entitled in the two Houses of Congress. It is plainly in the power of those entrusted with the administration of State authority to embarrass the government of the Nation, and even to effect its complete overthrow, by a course of simple non-action on their part in regard to its important branch of constitutional duty; which non-action, if deliberate, or the result of matured arrangement, would, in my judgment, be tantamount to a declaration of open hostility. 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It is even undeniably true, that the Federal Government could not now continue to exist for a single year, but for such legislation, from time to time, on the part of the respective States, as may be requisite to keep each of them supplied with the representation to which they are constitutionally entitled in the two Houses of Congress. It is plainly in the power of those entrusted with the administration of State authority to embarrass the government of the Nation, and even to effect its complete overthrow, by a course of simple non-action on their part in regard to its important branch of constitutional duty; which non-action, if deliberate, or the result of matured arrangement, would, in my judgment, be tantamount to a declaration of open hostility. It should never be forgotten by the opponents of a laudatory construction of the Federal Constitution, that large and valuable rights have been reserved under that instrument both to the State, and to the people thereof, the abandonment or destruction of which would be inevitably fatal to liberty; that numerous and conflicting interests have been subjected to the legislative control of Congress, some of which are of a nature emphatically local in their character, and must therefore be always particularly in danger of sectional attack; that with a view to the protection of these reserved rights, and to the defence of these local interests, the framers of the constitution have wisely provided that the various States of the Union should be allowed to have at all times, precisely an equal number of Senatorial representatives,—the election of whom has been made dependent directly upon the action of the Legislatures of the States themselves,—and whose tenure of office is sufficiently permanent to secure the requisite amount of firmness and independence, amidst sudden outbreaks of popular clamor, or temporary excitement from accidental causes. It should likewise be borne in mind, that in the popular branch of Congress, the people of each State have been allowed, by the Constitution, a body of Representatives, whose number is subject to be either enlarged or diminished, from time to time, under the operation of an equitable apportionment act, framed with a strict regard to that peculiar basis of representation, which the authors of the organic law of the Republic found to be indispensable to the establishment of the Union itself; thus securing the citizens of the whole nation, as far as least as human contrivances are capable of effecting such an object, against the numerous and serious mischiefs which are ever to be apprehended from unequal and oppressive legislation,—put in action as such legislation is apt to be, for the benefit either of classes or sections, and providing in general, for a just, enlightened, and efficient administration of all the complex concerns of this great and growing Republic. Entertaining these views in regard to the characteristic features of our plan of government,—the importance of faithfully adhering to which, I will add, has been made particularly manifest by recent occurrences,—it will not appear at all surprising, to minds exempt from prejudice, that I should have felt altogether unwilling that this State should be deprived of at least one fifth, and perhaps her whole amount of representation in Congress, for several years to come, by a failure on my part to perform a plain official duty, without the performance of which, the Legislature could not have been convened in special Session at this time. Never was it more necessary, than at the present moment, that the State of Mississippi should be able to exert her full influence in the national councils. It is known that numerous questions are now pending in Congress of great difficulty and magnitude; that, both in the Senate and House of Representatives, parties, whether sectional or political, are so nearly in a state of absolute equipoise, that a single vote is often times sufficient to settle the fate of measures apparently involving most deeply the honor and happiness of the whole republic, and that the most alarming and dangerous influences are becoming so prevalent and so potent, at the seat of the National Government, as to constrain our most firm and resolute Statesmen to feel serious apprehension in reference to the continued maintenance of our free institutions. I hope to be excused for suggesting, in a spirit perfectly free from all unkindness or disrespect, that I have been the less willing to see the State of Mississippi crippled in her representation in the popular branch of Congress at this time, in consequence of the painful uncertainty which yet seems to overhang the question—whether, in consequence of unhappy misunderstandings, very recently arising out of the heated political conflicts of last year, and the somewhat over-sensitive recollection (if I may be allowed so to speak) of issues, the arising of which appears now to be almost universally regretted,—we may not be constrained to rest satisfied with the services of a single U. S. Senator from Mississippi, for the 12 months which will elapse immediately ensuing the 4th of March next; though in the meanwhile, a new administration is to come into existence; a new Cabinet to be organized; almost the entire mass of Executive patronage to be disposed of; various important treaties with Foreign powers, either to be ratified or rejected; and grave questions, both of war and peace, in all probability, to be definitely settled upon.

I have requested the Auditor of the State to prepare a special report, which I herewith submit for your consideration. It will be found to contain a very clear account of the present condition of the Treasury, and embodies several suggestions to which I cannot but attach much weight. A corresponding report would also have been made by the Treasurer, but for the sudden calamity which has for the present withdrawn him from his official duties; and confined him to your health and happiness I remain very faithfully yours,
J. BARKHAM MAGRUDER,
Br. Lt. Col. U. S. Army.
To Gen. FRANK PIERCE, Concord N. H.

I beg leave to invite the attention of the Legislature to the act passed by them at their late regular session entitled "An act to provide for the construction of a levee upon the Mississippi river, for the reclamation of a state and school lands, and for other purposes," with a view to proposing some amendment of the same. By the thirteenth section of this act, it is provided, that the Secretary of State shall issue land scrip to the President of the Boards of Police of certain counties therein specified; by the fourteenth section, it is provided that the respective Presidents of the Boards of Police shall be required to endorse said land scrip, to the Levee Treasurers of the respective counties; by the fifteenth section, the endorsement of said scrip by the Presidents of the Boards of Levee Commissioners, is made indispensably necessary to the validity of the same; and by the last named section, it is further provided, that upon presentation of any portion of this scrip, (regularly assigned by the President of the Board of Police to the Levee Treasurer of the same) to the Secretary of State, after the same shall have been likewise endorsed by the President of the Board of Levee Commissioners of the proper county, it shall be the duty of said Secretary to register the same, &c., &c.; and the Secretary of State is further directed "forthwith to issue a patent therefor." Upon examining the eighteenth section of the same act, it will be found that the Secretary of State is "authorized and required to place the same in the hands of the State Treasurer;" which last mentioned officer is authorized to sell said scrip, and place the proceeds in the Treasury of this state; and it is also declared, in the conclusion of the same section, that "said scrip when issued as authorized in this section, shall be placed upon the same footing, and be subject to entry in the manner, as is provided for in the 15th & 16th sections of this act." Now, though it seems to be implied in the act as it now stands, that the Secretary of State is authorized to issue a patent to the holder of any land warrant purchased from the State Treasurer, on the presentation of the same regularly endorsed by said Treasurer; yet, inasmuch as some dispute has arisen in regard to the proper interpretation of the act in this material respect, with a view to the prevention of future litigation, I recommend that the 18th section thereof, be now so amended, as shall entirely remove the ambiguity in which its true meaning seems at

present enveloped. I hope to be pardoned for suggesting two other defects in the act, which I doubtless often happen hereafter, that applications will be made to locate portions of the scrip, the issuance of which is provided for in this act, upon the legal subdivisions of land, technically recognized as *quarter sections* which may, not contain either more or less, as the case may be, than the quantity of one hundred and sixty acres. I am of opinion,